



## Child Fatality Report Release of Information to the Public

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**Person ID:** 97261327

**County of Child's Residence:** HARRIS

**Gender:** Male

**Age:** 2 Year(s) 7 Month(s)

**Date of Death:** 01/20/2019

On the date of the fatality, the child was not in DFPS conservatorship and was living with the child's parent, a managing conservator, a legal guardian or other person entitled to the child's possession.

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**Child's Name:** Antwine Dellaf,Robert C

**Current Report(s) of Abuse/Neglect:**

**Intake Date(s):** 01/09/2019

**Summary of Allegation(s)/Investigation:**

The agency received a report that the deceased child was found unresponsive on the floor by the mother's paramour after calling him for breakfast and not receiving a response. Emergency Medical Services were called and the child was transported to the hospital. The child was found with two fractures; on the right back and right side of the skull. The paramour stated that the child fell from the toddler bed to the floor. The injuries were not consistent with the paramour's story. The child's pupils were fixed and he was unresponsive. The child was then life-flighted to another hospital for higher intensity care. A subsequent report was made that the deceased child was transported to the hospital via life-flight and had a skull fracture and subdural hematoma. It was reported that on the day the child was brought to the hospital, the child was left with the mother's paramour while the mother went to work. The report states that the paramour reported that he found the child lying unresponsive on the floor and did not know what happened. The report stated that the child had a large knot on the back of his head and the side of his face was droopy. The child was having emergency neurosurgery. It was reported that the paramour thinks that the child fell out of the bed when called him for breakfast. The mother showed a photo of the bed and it is a baby-crib type of bed and is a foot off the ground. The floor of the room is carpeted. The mother does not believe that the paramour would harm the child. The mother is reportedly diagnosed with bipolar disorder and does not take medication.

**Investigation Findings:**

The mother's paramour stated that he found the child unresponsive in a room. The mother was at work when the child became unresponsive. The child and his siblings were in the care of the mother's paramour. The child was transported to the hospital where it was found that he had a skull fracture to the back of the head with brain swelling and subdural hemorrhage. The paramour reported that the child fell out of his toddler bed onto the carpeted floor; a fall of about 13 inches. Medical staff found that the explanation is not consistent with the injury. It was assessed that the injury was consistent with one single blow to the head. The mother did not believe that her paramour could have injured her child. The mother could only repeat what the paramour had told her as an explanation. The paramour did not take a polygraph even though he had offered to do so and told the mother that he had done so. The mother submitted to a polygraph and deception was detected. The child developed brain damage and respiratory issues from the swelling related to the injuries. The child later died. The preliminary autopsy findings showed no other injuries except the skull fracture on the back of the child's head. The medical examiner concluded that the death was due to the trauma to the child's head. A Forensic Assessment Center Network consult was conducted and found that the injuries are consistent with a single blow to the back of the head; not falling from a toddler bed 13 inches to a carpeted floor. Medical staff were not able to put an exact time on when the injury occurred. With this information, neither the mother nor the paramour could be ruled out. Drug tests were completed on the mother and her paramour and the results were that they were positive in their urinalysis and hair follicle for various illegal drugs. Law Enforcement has not filed any charges and is waiting on the final autopsy. The four year old sibling was interviewed and did not know how the younger child was injured. The sibling did report concerns with domestic violence and concerns of being spanked with a paddle. The siblings were placed in a Parental Child Safety Placement. The agency requested and was granted custody.

The allegations of neglectful supervision of the deceased child and his siblings by the mother and her paramour were confirmed. The child was found unresponsive by the mother's paramour. The paramour was caring for the child and his siblings while the mother was at work. The child had unexplained injuries that lead to his death. The siblings were at home during the time of the injuries and were at risk of harm. The mother and her paramour were drug-tested and both were positive in their urine and hair for illegal substances. It was found that the mother and her paramour engaged in domestic violence in the home. The mother admitted to untreated mental health issues for which she was not receiving treatment.

The allegations of physical abuse of the deceased child by the deceased child's mother and her paramour were confirmed. The child was found unresponsive by the mother's paramour. The paramour was caring for the child and his siblings while the mother was at work. The child had a head fracture, brain swelling and subdural hemorrhage. The injuries were consistent with a blow to the back of the head. The paramour stated that the child fell from his toddler bed onto the carpeted floor about 13 inches. Medical staff found that is not enough height of a fall to cause the injuries and were not able to determine whether the trauma occurred the evening before the child was taken to the hospital or whether it happened in the morning.

Safety and Risk Assessment Factors Identified:

01/09/19 SDM Safety Assessment: Initial - Safe

01/10/19 SDM Safety Assessment: Reassessment - Safe with plan

01/23/19 SDM Safety Assessment: Reassessment - Safe with plan

02/28/19 SDM Safety Assessment: Reassessment - Unsafe

01/23/19 SDM Risk Assessment: Very High

Case Action: Removal/Subcare

**Safety and Risk Assessment Factors Identified:****Case Action:****Services and Referrals Provided to the Family:**

Counseling and Evaluation, Basic Needs Support

**Other Services:**

Household needs (utilities, household items, furniture, etc.) for the siblings

**Other Actions Taken to Mitigate Risk:**

The siblings were placed in a PCSP until the agency requested and was granted custody of the children. The placement remained the same.

**If one or more children were previously removed from the home, for each conservatorship episode, summarize dates of conservatorship and type of placement at the end of conservatorship:**

**Previous Report of Abuse/Neglect:**

**Intake Date(s):** 12/16/2017

**Summary of Previous Allegation(s)/Investigation:**

The agency received a report that the mother's paramour and the mother of his children leave their two year old and five month old children in the care of drug dealers. There is a fifteen year old child known to use illegal substances. The stepfather is reported to be a drug dealer and sells drugs around the two year old and five month old children. The five month old is supposed to be staying with a family friend, but the friend has been allowing the five month old to stay with the paramour and his children's mother. The five month old was born with illegal drugs in her system. The paramour and his children's mother left the two year old in the care of the mother's family friend. The report states that the family friend allowed the two year old to be outside for over an hour without adult supervision. The report states that the [REDACTED] was left in the care of the family friend and the family friend sexually abused the [REDACTED]

**Investigation Findings:**

The investigator interviewed the mother of the paramour's children who stated that the five month old was released from the hospital on the date of the interview. The five month old had respiratory syncytial virus (RSV). The two year old sibling was also released from the hospital four days earlier due to RSV as well. The mother of the paramour's children confirmed that the five month old was born with drugs in her system and that her children were placed in a parental child safety placement. The mother of the paramour's children stated that the children stay with a back-up caregiver when the primary caregiver is at work. The mother denied the allegations in the report. The mother stated that she is displaced from Hurricane Harvey and residing in a hotel. The mother stated for one day everyone had to go to one house because of the water and the family friend was there for that one day. The mother denied that the family friend was ever alone with her [REDACTED] or that

he sexually abused her. The fifteen year old was interviewed and reported that he lives with the parental child safety placement caregiver. The fifteen year old denied drug usage, denied being left alone, and denied being sexually abused. The children were observed by the investigator and there were no concerns noted. Personal and professional collaterals had no concerns for the mother or the children and agreed to monitor the family. The backup caregiver confirmed that she cares for the two year old and five month old in the primary caregiver's home while the primary caregiver is at work.

The investigator spoke with the Family Based Safety Services worker who reported that the mother of the paramour's children is cooperating with the agency. He reported that the mother is allowed to see the children as long as the primary and back-up caregivers are present. The primary caregiver confirmed that the back-up caregiver cares for the children while she is at work. The primary caregiver stated that she has no concerns for the mother.

The allegation of neglectful supervision by the mother of the paramour's children, the primary caregiver, the back-up caregiver, and the family friend was not confirmed. The mother confirmed that the five month old was born with drugs in her system and that her children were placed in a parental child safety placement. The mother stated that the children stay with a back-up caregiver when the primary caregiver is at work. The family is working services with Family Based Safety Services. The back-up caregiver has been set as a monitor for the children. The children will remain in the home with the primary parental child safety placement caregiver. There are currently no safety threats in the home.

The allegation of sexual abuse of the [REDACTED] child of the paramour by the family friend was not confirmed. The mother stated that she is displaced from Hurricane Harvey and residing in a hotel. The mother stated for one day everyone had to go to one house because of the water and the family friend was there for that one day. The mother denied that the family friend was ever alone with her [REDACTED] or that he sexually abused her.

Safety and Risk Factors:

12/19/2017 SDM Safety Assessment: Initial-Safe

02/07/2018 SDM Risk Assessment: Moderate

Case Action:

Close

#### **Safety and Risk Assessment Factors Identified:**

#### **Case Action:**

#### **Services and Referrals Provided to the Family:**

#### **Other Services:**

none

#### **Other Actions Taken to Mitigate Risk:**

The case was reviewed by the Risk Manager and staffed with the Investigations and Family Based Safety Services staff and instructions were given. The case is currently open to Family Based Safety Services and the family will continue in services.

#### **Other Previous Report of Abuse/Neglect:**

**Intake Date(s):** 07/06/2017 and 09/26/2017

#### **Summary of Previous Allegation(s)/Investigation:**

The agency received a report stating that the paramour's newborn and that child's mother tested positive for marijuana at the newborn's birth. The report stated that mother admitted to using marijuana during the pregnancy. The agency received a subsequent referral stating that a two year old child was found wandering in a parking lot alone. The report stated that it took law enforcement almost an hour to find the right door where the child resides. It was reported that the child's uncle answered the door and stated he was not aware that the child was gone. The report stated that child's mother was gone to complete some paperwork because of

Hurricane Harvey and the uncle thought the mother took the child with her. The report stated that the uncle found the front door open and unlocked. The child was found approximately 50 yards from the apartment wearing a t-shirt and diaper but no shoes. The child appeared healthy and clean.

#### **Investigation Findings:**

The newborn's mother admitted to using marijuana two to three times during her pregnancy, but not around her children. The mother denied the father of her newborn smokes marijuana. The newborn's father reported that he sometimes he uses marijuana, but not around the children. The mother was drug tested via hair follicle and the results were positive for marijuana and cocaine. The mother reported that she is willing to take a drug abuse class.

The children were placed in a parental child safety placement. The children were observed and there were no concerns noted. Personal collaterals had no concerns for the mother or parental child safety placement caregiver.

A subsequent referral was received regarding a two year old that was found wandering in a parking lot. The mother was interviewed and reported that she was not home and the child was in the care of the back-up caregiver for her parental child safety placement. The mother reported that her two year old must have wandered outside. The mother reported that she would call around to see who could watch the children while the parental child safety placement caregiver is at work.

The allegations of neglectful supervision of the two year old child and his siblings by the child's mother and uncle were confirmed. The mother and her newborn tested positive for marijuana at the birth of her newborn. The mother was drug tested via hair follicle and the results were positive for marijuana and cocaine. The two year old sibling wandered outside the home while under the care of the back-up parental child safety placement caregiver.

The allegation of physical abuse of the newborn child by the child's mother was not confirmed. The mother and her newborn tested positive for marijuana at the birth but the newborn child did not show any signs of symptoms of withdrawal. The mother denied any excessive physical discipline. The children had no marks or bruises. The children made no outcries.

#### **Safety and Risk Factors:**

08/01/2017 SDM Safety Assessment: Initial-Safe with plan

09/27/2017 SDM Risk Assessment: High

#### **Case Action:**

Family Preservation

#### **Safety and Risk Assessment Factors Identified:**

Risk Assessment: 08/01/2017 SDM Safety Assessment: Initial-Safe with plan

09/27/2017 SDM Risk Assessment: High

#### **Case Action:**

Family Preservation

#### **Services and Referrals Provided to the Family:**

Counseling for family, individual, group, etc.

Drug or alcohol abuse testing or treatment

#### **Other Services:**

None

#### **Other Actions Taken to Mitigate Risk:**

Family Based Safety Services were offered to the family and the mother was asked to complete substance abuse counseling, parenting classes, and submit to random urinalysis as well as hair follicle testing. The case was being

closed with the children remaining in the care of the Parental Child Safety Placement caregiver due to mother testing positive for drugs after services were completed and not having stable housing.

## **Other Previous Report of Abuse/Neglect:**

**Intake Date(s):** 06/11/2010

## **Summary of Previous Allegation(s)/Investigation:**

The agency received a report stating that children ages one and six are left alone and the home smells of marijuana. The report states that the paramour of the deceased child's mother is the father of the children in this home and is a drug dealer. The report states that the paramour is only supposed to have supervised visitation with his children. The report states that the children in the home are allowed to run around unattended all night and do not get their clothes changed. The report stated that the home has multiple people coming in and out of the home.

## **Investigation Findings:**

The mother of the paramour's children stated that she has never known of the father of the children (the paramour) to be a drug dealing or have drug around the children. The mother of the paramour's children stated the father just started seeing the children three weeks earlier. The mother of the paramour's children denied all the allegations. The paramour's six year old child denied the allegations or seeing anyone take drugs. Both children were observed and there were no concerns. The mother was drug-tested and the results were positive for marijuana. A safety plan was completed for the mother to not use any illegal drugs and keep the children in a drug free environment. The paramour denied all the allegations. The paramour denies that he uses drugs, but did not cooperate by taking a drug test. A family team meeting was held and it was concluded that the children will remain in their mother's care and the mother will refrain from using drugs and illegal substances. Personal and professional collaterals were contacted and there were no concerns.

The allegation of neglectful supervision of the paramour's children by the mother of the paramour's children was confirmed. The mother and oldest child denied all the allegations. The mother drug tested positive for marijuana and admitted to using on one occasion. Personal and professional collaterals have no concerns for the mother. The allegation of neglectful supervision of the paramour's children by the father of the children could not be confirmed. The paramour denied all the allegations. The mother and oldest child denied all the allegations. The paramour agreed to take a drug test for the agency, however he did not. The mother reported that the father of the children has only taken the child for one visit and he comes to the home to visit the children.

**Safety and Risk Assessment Factors Identified:**

07/20/2010 Safety Assessment: Conditionally Safe/Safety Plan Completed

08/17/2010 Risk Assessment: Factors Controlled

Child Vulnerability-Very Little

Caregiver Capability-Somewhat

Quality Of Care-None

Maltreatment Pattern-None

Home and Social Environment-Very Little

Response To Intervention-None

Protective Capacities-None

Case Action: Close

## **Safety and Risk Assessment Factors Identified:**

Risk Assessment: 07/20/2010 Safety Assessment: Conditionally Safe/Safety Plan Completed

08/17/2010 Risk Assessment: Factors Controlled

Child Vulnerability-Very Little

Caregiver Capability-Somewhat

Quality Of Care-None

Maltreatment Pattern-None

Home and Social Environment-Very Little

Response To Intervention-None

Protective Capacities-None

## **Case Action:**

Close

**Services and Referrals Provided to the Family:**

Referrals for parenting and substance abuse classes.

**Other Services:**

None

**Other Actions Taken to Mitigate Risk:**

Personal and professional monitors have been set up for the family. A family team meeting was held and it was concluded that the children will remain in their mother's care and the mother will refrain from using drugs and illegal substances.

Note: This report was prepared on 07/15/2019 and does not include corrections or updates, if any, that may be subsequently made to DFPS data on or after the date this report was prepared.